

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**ANDREW J. POWERS, II,**

**Plaintiff,**

**v.**

**Civil Action No. 3:12cv369**

**CAPITAL ONE, N.A., *et al.*,**

**Defendants.**

**MOTION FOR SUBSTITUTION OF COUNSEL  
FOR DEFENDANT CAPITAL ONE, N.A.**

Defendant, Capital One, N.A. ("Capital One"), by counsel, submits this Motion for Substitution of Counsel, and in support of said Motion, states as follows.

Capital One respectfully requests that the Court allow the substitution of David N. Anthony, Esq. and the law firm of Troutman Sanders LLP, for Bryan Alan Fratkin, Esq. and Evan Elizabeth Miller, Esq. of McGuireWoods LLP.

No party to this action will be prejudiced by the substitution requested above. Counsel has attached an Agreed Order Granting the Substitution as **Exhibit A**.

**CAPITAL ONE, N.A.**

By: /s/David N. Anthony

David N. Anthony

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 14th day of September, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participants:

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